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**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement.

I would like to comment on the proposed Microsoft Settlement. I feel the settlement is entirely too weakly worded. Here is my main concern, Microsoft's biggest rivals are not companies at all. If you take a look at Microsoft's products and who has any chance of competing with them in most cases the competing products are free software or open source software. Here's a breakdown for you.

Microsoft Product	Biggest Competing Product
Windows	Linux ( <a href="http://www.linux.org">www.linux.org</a> )
IIS	Apache ( <a href="http://www.apache.org">www.apache.org</a> )
Windows File & Print Sharing	Samba ( <a href="http://www.samba.org">www.samba.org</a> )
	CUPS ( <a href="http://www.cups.org">www.cups.org</a> )
Internet Explorer	Mozilla ( <a href="http://www.mozilla.org">www.mozilla.org</a> )
	Netscape ( <a href="http://www.netscape.com">www.netscape.com</a> )
Office	No competitor with a chance.

As you can see above most Microsoft products have a "free" or "Open source" rival. Many of the Free products will be harmed by this settlement. The reason is Microsoft does not have to provide them any API's or disclose any information to allow these products to continue to be compatible with Microsoft's Monopoly. According to the settlement Microsoft only has to disclose to Commercial companies, and only if they meet Microsoft Criteria. Does this seem fair? I think not.

Also I believe Microsoft should have to make its Office Document standards open. It's unrealistic to think Microsoft will ever not have a monopoly in the Office application market if its competitors can never be compatible with the Microsoft counterparts. Everytime any competitor comes close to achieving an acceptable level of compatibility to a Microsoft Office application. Microsoft releases a new version with a new document format.

#### Summary:

Free and Open Source products should be considered and given the same rights as Commercial products. If they are not included in the settlement Microsoft will find a way to exclude them. This will in fact harm not help Microsoft's largest competitors. In the end the settlement will be just another way for Microsoft to maintain its monopoly position. Microsoft will use the settlement as a way of excluding its largest competitors, the free and open source products that are scaring

it today.